

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JOSEPH HARDESTY,	:	Case No. 1:16-CV-00367
	:	
Plaintiff,	:	Judge Timothy Black
	:	
v.	:	
	:	NOTICE OF APPEAL
THE KROGER CO., et al.	:	
	:	
Defendants.	:	

Notice is hereby given that Plaintiff Joseph Hardesty hereby appeals to the United States Court of Appeals for the Sixth Circuit from the Order Granting Defendants' Motion for Summary Judgment entered in this action on the 21st day of March, 2018.

Respectfully submitted,

/s/ Joshua M. Smith
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CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true and accurate copy of the foregoing was served via ordinary and/or electronic mail upon David K. Montgomery, Esq., and Ryan Martin, Esq., Jackson Lewis P.C., PNC Center, 26th Floor, 201 East Fifth Street, Cincinnati, Ohio 45202, this 20th day of April, 2018.

/s/ Joshua M. Smith
Joshua M. Smith (0092360)